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November 13, 2019

Honorable Andrew L. Carter Jr.
United States District Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
Room 1306
40 Foley Square
New York, NY 10007

Re: *Aleksanian et. al. v. Uber et. al.*
Case No: 19-cv-10308

Dear Hon. Judge Carter:

Undersigned counsel represents Plaintiffs in the above captioned action. Undersigned counsel submits this letter to advise the Court that Plaintiffs yesterday filed a corrected civil cover sheet (Docket No. 3), which responds in the affirmative to the question “Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time?”, and further provides the case number, 16-cv-08299, which was dismissed without prejudice by Judge Hellerstein on February 1, 2017.

Please note, the originally filed civil cover sheet (Docket No. 1) provided such information in the wrong section, referring to 16-cv-08299 as a “related case,” in error. Rather, the above-captioned action is “essentially the same” as the previously dismissed case 16-cv-08299 and the corrected civil cover sheet now reflects this fact.

The instant case brought, *inter alia*, by Harjit Khatra (named Plaintiff in 16-cv-08299) is against the same defendants, alleges a same cause of action as in 16-cv-08299, and is “essentially the

same,” as a truncated reinstatement of such case, brought at this time due to developments in the law, which support its viability.

Local Rule 4(b), provides in relevant part:

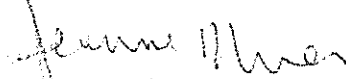
“If an action, case or proceeding, or one essentially the same, is dismissed and refiled, it shall be assigned to the same judge. It is the duty of every attorney appearing to bring the facts of the refiling to the attention of the clerk.”

Consistent with out duty under this rule, undersigned counsel has informed the Clerk of the filing of the Corrected Civil Cover Sheet. The Clerk has requested that Plaintiffs submit this letter to the Court to bring this matter to Your Honor’s attention.

Consistent with Local Rule 4(b) this case should properly be before to the judge assigned to the previously dismissed action. Therefore, we respectfully request this Court to direct the Clerk of case openings to assign the case consistent with Local Rule 4(b).

We thank the Court for its attention.

Respectfully submitted,


Jeanne Mirer